

No. 1576-4Lab-76/5197.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Executive Engineer, Public Health Division, Hissar.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK.

Reference No. 209 of 1970

between

SHRI HARDAYAL SINGH, WORKMAN AND THE MANAGEMENT OF M/S EXECUTIVE
ENGINEER, PUBLIC HEALTH DIVISION, HISSAR.

AWARD

By order No. ID/HDR/88-A/38553, dated 19th November, 1970, the Governor of Haryana, referred the following dispute between the management of M/s Executive Engineer, Public Health Division, Hissar and its workman Shri Hardayal Singh, to this Labour Court, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Hardayal Singh was justified and in order ? If not, to what relief is he entitled ?

The parties put in their appearance in this Court in response to the usual notices of reference sent to them and filed their pleadings giving rise to the following preliminary issue.

Whether the water supply system is not an industry ?

The evidence of the parties being recorded and closed on the aforesaid issue, arguments were heard by me on the same after I took over charge as Presiding Officer, Labour Court on 9th July, 1975.

I however, in view of the definition of the term employer as given in section 2(g) of the Industrial Disputes Act considered the legality of the reference made to the Court doubtful. I accordingly called the parties for addressing arguments to me on this important question. They appeared before me on 30th January, 1976 and argued the matter. I have fully considered this question and propose to resolve it as under.

Employer has been defined in section 2(g) of the Industrial Disputes Act as under :—

Section 2(g) (i) in relation to industry carried on by or under the authority of any department of the Central Government or a State Government, the authority prescribed in this behalf or where no authority is prescribed, the head of the department;"

It would appear from the definition of the term employer as stated above that the head of the department can only be impleaded as a party in the reference in case the industry is being carried on by a State Government. It could not be denied by Shri S. N. Vats authorised representative for the workman that the Public Health Department of the State of Haryana was being run and managed by the State Government and Chief Engineer, Public Health was the Head of this department. It is thus manifest that the Executive Engineer, Public Health Division, Hissar has been wrongly impleaded and this reference impleading him as a party is bad in law. As a result the workman is not entitled to any relief in this reference. He may however get a fresh reference made against the proper authority if he is so advised.

I hold accordingly and answer the reference while returning the award in terms of the findings made by me above.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 988-Lab-76/5199.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following

award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s N. K. Metal Works, Jagadhri.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, ROHTAK.

Reference Nos. 48 of 1975, 59 of 1975, and 60 of 1975

between

SHRI MOTI CHAND, RAMJI LAL AND FAQIR CHAND, WORKMEN AND THE MANAGEMENT OF M/S N. K. METAL WORKS, JAGADHRI

AWARD

This award will dispose of this reference and references Nos. 59 of 1975 and 60 of 1975 as common question of facts involved therein. The Governor of Haryana, in each case referred the following dispute to this Labour Court in exercise of the powers conferred on him,—*vide* clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947.

Whether termination of services of Shri Moti Chand/Ramji Lal/Faqir Chand was justified and in order ? If not, to what relief is he entitled ?

Whereas the management as impleaded in each of these references were M/s N. K. Metal Works, Jagadhri, the workman in each of these references was Moti Chand, Ramji Lal and Faqir Chand, respectively.

It was agreed before me by the parties on a question of fact that there was no concern of the name and style of M/s N. K. Metal Works, impleaded as a party in the reference, in Jagadhri.

It would thus appear from the agreed question of fact that each reference made to this Court impleading M/s N. K. Metal Works, Jagadhri, not in existence as a party is bad in law and the workman is not entitled to any relief.

I hold accordingly and answer each one of these reference while returning the award in terms of my findings made above.

MOHAN LAL JAIN,

Dated the 14th January, 1976.

Presiding Officer,
Labour Court, Rohtak.

No. 1023-4Lab-75/5201.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Dimple Cinema, Jagadhri.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 101 of 1975

between

THE WORKMEN AND THE MANAGEMENT OF M/S DIMPLE CINEMA, JAGADHRI

AWARD

By order No. ID/AMB/379-A-75/31678, dated the 3rd June, 1975, the Governor of Haryana referred the following dispute between the management of M/s Dimple Cinema, Jagadhri and its workmen to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947.

Whether the workers should be provided seasonal uniforms ? If so, with what details ?

The parties appeared in this Tribunal in response to the usual notices of reference sent to them and filed their pleadings giving rise to the issue framed in terms of the dispute stated above.

Shri Jagdish Singh aforesaid representative for the workman made a statement on 12th January, 1976 withdrawing the demand leading to this reference. It would thus appear that there is now no dispute between the parties requiring adjudication. I hold accordingly and answer the reference while returning the award in terms of my findings made above.

MOHAN LAL JAIN,

Dated the 20th January, 1976.

Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

P. P. CAPRIHAN Comm. Secy.

राजस्व विभाग

युद्ध जागीर

दिनांक 20 फरवरी, 1976

क्रमांक 237-ज(I)-76/5380.—पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में प्रभाग गया है और उसमें प्राज तक संशोधन किया गया है) को धारा 2(ए) (1ए) तथा 3(1ए) के अनुसार सौंपे गये अधिकारों का प्रयोग करते हुए हरियाणा के राजपाल श्री धन सिंह, पुत्र श्री राम स्वरहर, गांव छपार, तहसील दादरी, जिला मिवानी जो स्वी, 1969 से रबी, 1970 तक 100 रुपये वार्षिक तथा बरीह, 1970 से 150 रुपये वार्षिक कीमत वाली युद्ध जागीर सनद में दी गई शर्तों के अनुसार सहर्ष प्रदान करते हैं।

दिनांक 20/23 फरवरी, 1976

क्रमांक 3154-ज(I)-75/5391.—पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में प्रभाग गया है और उसमें प्राज तक संशोधन किया गया है) की धारा 2(ए) (1) तथा 3(1) के अनुसार सौंपे गये प्रतिकारों का प्रयोग रहते हुए हरियाणा के राजपाल निम्नलिखित व्यक्तियों को वार्षिक कीमत वाली युद्ध जागीर उनके नामों दी गई करत तथा राशि एवं सनद में दी गई शर्तों के अनुसार सहर्ष प्रदान करते हैं:—

क्रमांक	जिला	जागीर पाने वाले का नाम	गांव व पता	तहसील	फसल/वर्ष जब से जागीर दी गई	वार्षिक राशि
1	2	3	4	5	6	7
						रुपये
1	महेंद्रगढ़	श्री राम नरेन्द्रगढ़, पुत्र]] श्री जी सुब्र	नारनील	नारनील	रबी, 1973 से	150
2	"	श्री हरनान सिंह, पुत्र श्री पूरण सिंह	"	"	रबी, 1973 से	150
3	"	श्री बेग राज, पुत्र] श्री गणेशा	बलाडा कलां	"	रबी, 1973 से	150
4	"	श्री लक्ष्मी [चन्द, पुत्र] श्री मोती राम	खेड़ा मुतर	रिवाड़ी	रबी, 1973 से	200

दिनांक 23 फरवरी, 1976

क्रमांक 260-ज(II)-76/5486.—पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में प्रभाग गया है और उसमें प्राज तक संशोधन किया गया है) को धारा 2(1ए) (1ए) तथा 3(1ए) के अनुसार सौंपे गये अधिकारों का प्रयोग करते हुए हरियाणा के राजपाल श्री मनसा राम, पुत्र श्री कपूर राम, गांव थानेसर, तहसील थानेसर, जिला कुरुक्षेत्र, कोखरीक, 1965 से रबी, 1970 तक 100 रुपये वार्षिक तथा बरीक, 1970 से 150 रुपये वार्षिक कीमत वाली युद्ध जागीर सनद में दी गई शर्तों के अनुसार सहर्ष प्रदान करते हैं।